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**APR 28 2005**

**OFFICE OF PETITIONS**

In re Application of  
Serge Muller et al.  
Application No. 09/825,910  
Filed: April 4, 2001  
Attorney Docket No.: 14XZ00098  
Title: RADIOLOGICAL IMAGING  
DEVICE, METHOD AND PROGRAM OF  
CONTROL ASSOCIATED WITH THE  
DEVICE

DECISION ON PETITION UNDER  
37 C.F.R. §1.137(b)

This is a decision on the petition under 37 CFR §1.137(b)1, filed December 7, 2004, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed September 24, 2002, which set a shortened statutory period for reply of three (3) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on December 25, 2002. A Notice of Abandonment was mailed June 24, 2003.

With the petition, Petitioner has submitted the petition fee, an amendment, and the proper statement of unintentional delay.

Petitioner has met all requirements for a grantable petition under 37 C.F.R. §1.137(b). As such, the petition is **GRANTED**.

1 A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

The application file is being forwarded to Technology Center 2800 for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**